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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,414	09/14/2000	Kirk Beach	3730-915	9962

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EXAMINER

ABDI, KAMBIZ

ART UNIT PAPER NUMBER

3621

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/662,414

Applicant(s)

BEACH ET AL.

Examiner

Kambiz Abdi

Art Unit

3621

MW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>23 January 2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
 - No claim has been amended.
 - Claim 42 has been canceled.
 - Claims 1-41 are pending.

Response to Arguments

3. Applicant's arguments filed 23 January 2004 have been fully considered but they are not persuasive for the following reasons:
4. In response to applicant argument regarding rejection of Claims 1, 10, 19, 28, and 40 under 35 U.S.C. § 112 second paragraph is maintained based on the explanation put forward by the applicant. The response to the 35 U.S.C. § 112 is still indefinite. It is not clear to the examiner what the first communication link does and what the purpose of such first communication is. Is the first communication used for recording a code associated with the voucher or token and the second communication link used for queering the database? It is not clear to the examiner how the communication links are used or what the results of such communications are. The examiner suggests further consideration of revision by the applicant for the reason of clarity.
5. As for the response to the claims rejection under 35 U.S.C. § 102 (e) examiner disagrees with the claim made by the applicant in accordance with 37 C.F.R. § 1.78(a)(2) of the MPEP on that the current application is continuation-in-part of the Patent Application No. 09/178.441, which is issued as U.S. Patent No. 6,116,402 to beach et al. Examiner would like to bring to the attention of the applicant the rules governing such continuation, it is stated that such continuation must have un-broken continuation of the filing of the current (See 37 C.F.R. § 1.178(a)(2)) application and the claimed co-pending application (Patent Application No. 09/178.441, which is issued as U.S. Patent No. 6,116,402

Art Unit: 3621

to beach et al.) See MPEP 201.04(b)- applicant cannot claim the benefit of the filing date of a provisional application, and then state that the provisional application relies upon the filing date of an earlier application. In other words, you cannot use a provisional application to bridge the gap. The current application has been filed after the publication date of the U.S. Patent No. 6,116,402 to beach et al. The reason for not granting the benefit of continuation-in-part to the current application is the continuity has broken between the two applications therefore the priority cannot be granted.

Therefore, the examiner maintains the rejections under 35 U.S.C. 102 (e) of claims 1-41 as they have been presented in the previous office action.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claims 1, 13, 20, 32, 37, and 40 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: it is not clear to the examiner what purpose the first communication serves as it is stated in all the claims mentioned above “determining whether the voucher token is valid, using the information, wherein the cashier’s station uses a first communication link coupled to a back room computer, but the querying step uses a second communication link different from the first communication link.” What is the role of the first communication link compelling the cashier’s station to the backroom computer? What are the results of such communication? Clarification by applicant is requested.
3. Therefore claims 2-12, 21-37, 40-41 being dependent on independent claims mentioned above are rejected based on the same rational.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. Claims 1-42 are rejected under 35 U.S.C. 102 (e) being anticipated by Kirk Beach et al. U.S. Patent No. 6,116402.

8. As for claims 1, 13, 20, 32, 37, 38, 40, and 42, Beach clearly teaches a system and method for verifying a voucher or token, comprising;

- means for recording a code associated with the voucher or token (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29);
- a voucher or token database which stores at least one of a code and a value associated with the voucher or token (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29);
- recording a code and a value associated with the voucher or token (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29);
- means for scanning the voucher or token to retrieve the code at a cashier's station (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29);

Art Unit: 3621

- means for querying a voucher or token database for information associated with the code (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29);
- means for determining whether the voucher or token is valid. Using the information, wherein the cashier's station uses a first communication link coupled to a back room computer, but the querying means uses a second communication link different from the first communication link (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- wherein the second communication link couples together the voucher or token database and the recognition subsystem (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- verifying the value associated with the voucher or token (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).

9. As for claims 2-12, and 21-31 and 41, Beach clearly teaches all the limitations of claims 1, and 20, further;

Beach teaches,

- providing a coin counting mechanism which is configured to receive, all at once, a plurality of randomly oriented coins of multiple denominations and other objects, discriminate the coins and output the voucher or token for an amount related to the value of the coins.
- the scanning step is performed with a recognition subsystem (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).

Art Unit: 3621

- the recording step includes recording a value associated with the code (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- the querying step includes querying a kiosk which includes at least a portion of the voucher or token database (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- the recording step is performed in a remote location from the kiosk (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- the querying step includes querying a control center which includes at least a portion of the voucher or token database (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- the querying step is performed by a recognition subsystem (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- the voucher or token includes at least one of a magnetic strip, a bar code or a smart card.
- the voucher or token is at least one of a phone card, a gift certificate, a mass transit pass, a travel ticket, a financial instrument and an event ticket (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- printing the voucher or token (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- counting coins with a coin counting mechanism in a kiosk, wherein at least a part of the database is located in the kiosk (See Beach abstract, figures 1, 2C, and 5, and associated text, column

Art Unit: 3621

3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).

10. As for claims 14-21, Beach clearly teaches all the limitations of claim 13, further;

Beach teaches,

- the code associated with a voucher or token is unique (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- the voucher or token database stores a value associated with the voucher or token (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- the transceivers communicate with at least one of the following techniques: wireless, carrier current, data over telephone voice systems and direct-wired communication (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- a modem coupled to the recognition subsystem for electronic verification of the voucher or token (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- a kiosk which includes a coin counting mechanism and wherein at least a part of the voucher or token database is located in the kiosk (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- the system is not coupled to a point of sale system (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).

Art Unit: 3621

11. As for claims 33-46, Beach clearly teaches all the limitations of claim 32, further;

Beach teaches,

- the code contains at least a modem number of an issuing kiosk (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 5, lines 6-54, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- the code is related to at least one of a printed voucher or token or a preexisting card (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 5, lines 6-54, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- recording a residual value associated with the code after the redeeming step (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 5, lines 6-54, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).
- the reading step is performed with at least one of a card reader, a smartcard reader and a bar code scanner (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 5, lines 6-54, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).

12. As for claim 39, Beach clearly teaches all the limitations of claim 38, further;

Beach teaches,

- the recognition subsystem is located at the cashier's station (See Beach abstract, figures 1, 2C, and 5, and associated text, column 3, lines 1-62, column 5, lines 6-54, column 6, lines 2-20, column 7, lines 38-45, column 10, lines 14-23, and column 11, lines 1-29).

13. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other

Art Unit: 3621

passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Abdi whose telephone number is (703) 305-3364. The examiner can normally be reached on 9:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (703) 305-9768. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington D.C. 20231**

or faxed to:

(703) 872-9306 [Official communications; including After Final communications labeled "Box AF"]

Application/Control Number: 09/662,414

Page 10

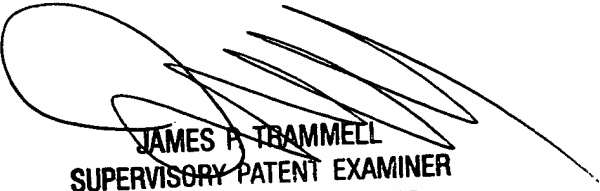
Art Unit: 3621

(703) 746-7749 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to:

Crystal Park 5, 2451 Crystal Drive
7th floor receptionist, Arlington, VA, 22202

Abdi/K
February 25, 2004



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